

DiCONZA TRAUIG LLP
ATTORNEYS AT LAW
630 THIRD AVENUE | 7TH FLOOR | NEW YORK, NY 10017

www.dtlawgroup.com

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WRITER'S EMAIL:
akadish@dtlawgroup.com
DIRECT DIAL: (646) 863-4303

PHONE: 212.682.4940
FAX: 212.682.4942

July 18, 2013

Honorable Analisa Torres
United States Courthouse
500 Pearl Street
New York, New York 10007-1312

Re: Tomm Miller v. Tanya Zuckerbrot Nutrition, LLC, F-Factor Group, LLC
and Tanya Zuckerbrot a/k/a Tanya Beyer, Civil Action No. 13-CV-3296 (AT)

Dear Judge Torres:

Mr. Feather (copied) is counsel for plaintiff and I am counsel for the business defendants in the referenced action. This letter is submitted following a call from your Chambers seeking an update on the status of the matter and the requests for extensions of time to answer or move. Mr. Feather has approved this letter and it is sent jointly on behalf of us both.

The complaint seeks amounts allegedly due to plaintiff purportedly arising out of her alleged employment. While all defendants oppose and would vigorously defend the allegations and relief sought, the parties are deep in settlement negotiations aimed at an agreement that would completely resolve the action and result in its withdrawal or dismissal. Therefore, the parties have maintained the defendants' time to answer or move in abeyance, subject to short stipulations.

Enclosed therefore is the next in a series of stipulations extending all defendants' time to answer or respond while the parties continue efforts to achieve and document a full understanding. Of course, if no settlement is reached, we will inform the Court and adhere to an answer or motion protocol. Meanwhile, the rights of all parties are preserved.

Respectfully,

DiCONZA TRAUIG LLP

By: 
Allen G. Kadish

cc: David Feather, Esq.
Tanya Zuckerbrot